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# Notice of Allowability

Application No.

08/825,585

Examiner

George Eng

Applicant(s)

YOSHIDA, TAKEHIRO

Art Unit

2643

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/18/2004.
2. ☒ The allowed claim(s) is/are 1-6 and 12.
3. ☒ The drawings filed on 01 April 1997 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*George Eng*  
**GEORGE ENG**  
**PRIMARY EXAMINER**

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/18/2004 has been entered.

### ***Response to Amendment***

2. This Office action is in response to the amendment filed 10/18/2004 and amendment filed 5/4/2004. Accordingly, claims 7-11 and 13-24 are canceled, and claims 1-6 and 12 are pending for examination.

### ***Examiner's Statement of Reasons for Allowance***

3. Claims 1-6 and 12 are allowed.

4. The following is an examiner's statement of reasons for allowance:

Applicant's invention is drawn to a communication apparatus for selecting a facsimile protocol compatible to a calling station, which can rapidly determine a proper facsimile protocol at the reception of a call in accordance with the calling station and executing the selected protocol (i.e., a control circuit in the communication apparatus capable of detecting the telephone

Art Unit: 2643

number information sent between call signal, storing the communication systems, particularly the communication systems in accordance with V.21, V.27 ter, V.29, and V.17 or the communication systems in accordance with V.8 and V.34, in association with the telephone number of the calling station sent between call signals, and primarily controlling the start of the communication by the stored communication system in accordance with the telephone number information sent between call signals when the call signal is detected).

Applicant's independent claim 1 recites, *inter alia*, a communication apparatus adapted to execute a plurality of kinds of facsimile protocol with a structure as defined in the specification (pages 4-15) including an ID detector circuit adapted to detect ID information for identifying a calling station from the communication line before a start of communication with the calling station, when said call signal detector circuit has detected the call signal from the communication line, a memory adapted to store ID information for identifying a calling station and facsimile protocol information for indicating a facsimile protocol used for communication with that calling station, in correspondence with each other; a determination circuit adapted to determine whether a predetermined time period has elapsed after the storage of facsimile protocol information corresponding to the ID information detected by said ID detector circuit into said memory and a control circuit adapted to perform communication based on the facsimile protocol information stored in the memory in correspondence with the ID information detected by said ID detector circuit, or communication for deciding a facsimile protocol for the calling station, in accordance with the result of determination by said determination circuit, so as to discriminate the facsimile protocol of the calling station, and to perform communication based on the facsimile protocol according to a result of the discrimination and to restore the facsimile protocol information

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Art Unit: 2643

according to that result of the discrimination in correspondence with ID information detected by said ID detector circuit. Applicant's independent claim 1 comprises a particular combination of elements, which is neither taught nor suggested by the prior art.

Applicant's independent method claim 6 recites, *inter alia*, an ID detection step, of detecting ID information for identifying a calling station from the communication line before a start of communication with the calling station, when the call signal has been detected in said call signal detection step, a determination step for determining whether a predetermined time period has elapsed after the storage of facsimile protocol information corresponding to the ID information detected in said ID detection step into a memory and control step for performing communication based on the facsimile protocol information stored in the memory in correspondence with the ID information detected in said ID detection step, or communication for deciding a facsimile protocol for the calling station in accordance with the result of a determination made in said determination step, so as to discriminate the facsimile protocol of the calling station, and for performing communication based on the facsimile protocol according to a result of the discrimination and restoring the facsimile protocol information according to that result of the discrimination in correspondence with the ID information detected in said ID detection step. These steps, in combination of the remaining steps, are neither taught nor suggested by the prior art.

Accordingly, Applicant's claims are allowed for these reasons and for the reasons recited by Applicant's in previous amendments.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

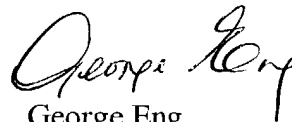
Art Unit: 2643

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is 703-308-9555. The examiner can normally be reached on Tue-Fri 7:30 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz can be reached on 703-305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



George Eng  
Primary Examiner  
Art Unit 2643